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September 14, 2000

WRITER'S DIRECT NUMBER:
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Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Utility Patent Application
Appl. No. 09/555,574; Filed: June 1, 2000
For: **Transfection Particles**
Inventors: Behr *et al.*
Our Ref: 0652.2090000/EKS/JMC/ALS

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement (*in duplicate*);
2. List of cited references on PTO Form 1449 (8 sheets);
3. Copies of the cited references on PTO Form 1449 (25 references); and
4. Return postcard.

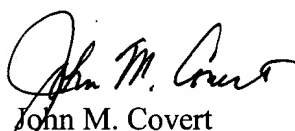
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
September 14, 2000
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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


John M. Covert
Attorney for Applicants
Registration No. 38,759

EKS/JMC/ALS:asl
Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Behr *et al.*

Appl. No. 09/555,574

Filed: June 1, 2000

For: **Transfection Particles**

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket:
0652.2090000/EKS/JMC/ALS

Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or

submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement or fee is required.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicant's undersigned representative submits the following concise explanation of relevance of the non-English language document, Document AL1, cited on Form PTO 1449.

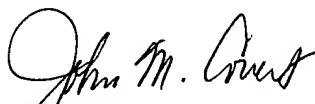
Document AL1, WO 93/07283, is believed to disclose a composition for inserting nucleic acids complexes into higher eucaryotic cells. An English-language abstract of Document AL1 is provided on the face page of WO 93/07283.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


John M. Covert
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Date: Sept. 14, 2000

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